HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.20205 OF 2006

Between:

Bandi Kalavathi

…Petitioner

AND

A.P. Pollution Control Board,
Rep., by its Regional Director,
Regional Office, Rajahmundry,
East Godavari District and three others

...Respondents

: O R D E R :

Counsel for the petitioner : Shri K. Chidambaram

Counsel for Respondent No.1 : Shri S.V. Bhatt

Counsel for respondent No.4 : Shri P. Radha Krishna Reddy

05th January, 2007

Per G.S.SINGHVI, CJ

In this petition, the petitioner has prayed for issue of a mandamus to respondent Nos. 1 to 3 to take action against respondent No. 4, Sri Venkateswara Cooperative Rice Mill, Kavitam, Poduru Mandal, West Godavari District.

At the hearing, Shri S.V. Bhatt, learned Standing Counsel for the Andrha Pradesh Pollution Control Board (for short, 'the Board'), on the basis of instructions given to him made a statement that notice under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 has already been issued to respondent No. 4 and final decision is likely to be taken by the competent authority within a period of next six weeks.

In view of the statement made by Shri Bhatt, the writ petition is disposed of as infructuous. However, liberty is given to the petitioner to file fresh petition in case, the final order passed by the Board or its competent authority is in favour of respondent No. 4. Likewise, respondent No. 4 is given liberty to challenge the order if the same is adverse to its interest.

G.S. SINGHVI, C.J.

January 05, 2007

C.V. NAGARJUNA REDDY, J.

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